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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

Cung Le, Nathan Quarry, and Jon Fitch, on
behalf of themselves and all others similarly
situated,

Plaintiffs,

vs.

Zuffa, LLC, d/b/a Ultimate Fighting
Championship and UFC,

Defendant.

Lead Case No.: 2:15-cv-01045 RFB-(PAL)

Consolidated Case Nos.:

2:15-cv-01046-RFB-(PAL)

2:15-cv-01055-RFB-(PAL)

2:15-cv-01056-RFB-(PAL)

2:15-cv-0157-RFB-(PAL)

**DECLARATION OF DON
SPRINGMEYER IN SUPPORT OF
MOTION TO APPOINT INTERIM CO-
LEAD CLASS COUNSEL AND INTERIM
LIAISON COUNSEL**

And Related Consolidated Cases

DECLARATION OF DON SPRINGMEYER

I, Don Springmeyer, Esq., under penalty of perjury, declare as follows:

1. I am over eighteen years of age. I am a member in good standing of the Bar of the State of Nevada, and am a partner of Wolf, Rifkin, Shapiro, Schulman & Rabkin LLP (“Wolf, Rifkin” or the “Firm”), and am one of the attorneys for Plaintiffs in this action. I make this declaration of personal, firsthand knowledge and, if called and sworn as a witness, I could and would testify competently thereto. I have personal knowledge of the facts stated herein, and I submit this Declaration in support of Plaintiffs’ Motion to Appoint Interim Co-Lead Class Counsel and Interim Liaison Counsel.

2. Wolf, Rifkin is eminently qualified to act as class counsel in this action. Wolf, Rifkin was founded 1977 and is comprised of a team of over 40 attorneys who handle cases in all areas of law, with offices in Los Angeles, Las Vegas, and Reno. The Firm's clientele includes individuals, classes, and businesses ranging from fledgling firms to Fortune 500 companies. I am the litigation partner in charge of class action and complex high damages litigation for Wolf, Rifkin. I am headquartered in the Firm's Las Vegas office. I graduated from Yale College, *cum laude*, and the University of Wisconsin-Madison Law School, *cum laude*. I then served as a judicial law clerk to Senior United States District Judge Bruce R. Thompson, District of Nevada. I have 34 years of experience in high stakes litigation including class actions of all types, mass torts ranging from medical device and pharmaceutical products to components of home building construction, residential and commercial construction defects, real estate and condominium litigation, water rights/environmental, and insurance bad faith. Within the last three years I have been designated as lead counsel for class actions pending in six separate states, aside from Nevada. Within the last year here in Nevada, I and the Firm have been designated as co-lead class counsel by Hon. Jennifer Dorsey in the conditionally certified FLSA collective and class action entitled *Cardoza v. Bloomin' Brands, Inc.*, 2:13-cv-01820-JAD-NJK—a case involving a putative class of approximately 135,000 hourly employees at Outback Steakhouse restaurants.

3. I was named to 2012 and 2013 "Top Lawyers: 100 top lawyers in Southern Nevada" by the business weekly Vegas Inc., and Desert Companion. I was honored as the first Trial Lawyer of the Year by the Nevada Trial Lawyers Association in 1997, in recognition of my work on the infant formula price-fixing class actions, and my pro bono work on health insurance coverage cases for breast cancer victims. I have been AV® Peer Review Rated 5.0 through Martindale-Hubble for 18 years. I have received a National Community Service Award for my pro bono work. I also conduct an extensive appellate practice, appearing in multiple cases before the Nevada Supreme Court, and the United States Courts of Appeal for the Ninth, Fourth, Seventh, Sixth, and Eleventh Circuits.

4. The following are additional actions and meaningful steps to prosecute Plaintiffs' claims and protect the interests of Plaintiffs and other class members, taken by Proposed Interim

1 Co-Lead Class Counsel, in conjunction with Plaintiffs' other attorneys, after the dates that the
2 Declarations of Joseph R. Saveri, Eric L. Cramer, and Benjamin D. Brown were filed while the
3 now consolidated actions were pending in the Northern District of California.

- 4 a. Proposed Interim Co-Lead Class Counsel have, among other things, prepared and
5 served a comprehensive set of document requests on Zuffa; fully briefed and argued
6 the UFC's motion to transfer venue [Dkt. 39]; fully briefed the UFC's motion to
7 dismiss [Dkt. 71]; engaged with counsel for Defendant in a Rule 26(f) conference;
8 fully briefed the UFC's motion to stay discovery [Dkt. 120]; served limited third
9 party discovery to ensure preservation of evidence; zealously represented the
10 interests of Plaintiffs and other class members in this litigation to date; and have
11 privately ordered themselves, by amicably creating an organizational structure to
12 manage the day-to-day progress of this litigation efficiently.
- 13 b. After the UFC's disclosure of Plaintiffs Le, Quarry, Fitch, Vasquez, Hallman, Vera,
14 and Garza's social security numbers, which the UFC made public for five days
15 because of its failure to redact exhibits to a declaration from one of their in-house
16 attorneys that was submitted with the UFC's motion to transfer, Proposed Interim
17 Co-Lead Class Counsel negotiated a resolution with the UFC's Counsel on
18 Plaintiffs' behalf under which the UFC's Counsel agreed to pay for a monitoring
19 service to protect the interests of the Plaintiffs.
- 20 c. Proposed Interim Co-Lead Class Counsel drafted a proposed Stipulated Protective
21 Order along the lines of the suggested model provided by the Northern District of
22 California, and have discussed entry of the Protective Order with the UFC. The UFC
23 responded by proposing a number of changes from the Northern District's model,
24 and Plaintiffs are presently evaluating the UFC's revisions, and intend to discuss
25 with the UFC any modifications that may be called for due to the transfer of the
26 cases to the District of Nevada and the practices in this District.

27 5. Here, there should be no doubt that the Firm, as proposed Interim Liaison Counsel,
28 is, and will continue to be, committed to this case. This litigation team has the experience,

1 resources, and skill capable of seeing complex litigation through from beginning to end. Counsel
2 will continue to commit all the resources necessary to effectively serve the function as Interim
3 Liaison Counsel for these consolidated cases.

4 Under penalties of perjury under the laws of the United States of America and the State of
5 Nevada, I declare that the foregoing is true and correct to my own knowledge, except as to those
6 matters stated on information and belief, and that as to such matters I believe to be true.

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8 DATED this 9th day of July, 2015.

9 /s/ Don Springmeyer
10 DON SPRINGMEYER, ESQ.
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